



AD-A272 765



March 26, 1971
NUMBER 5030.46

ASD(A)

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(2)

Department of Defense Directive

SUBJECT Assistance to the District of Columbia Government in Combating Crime

References: (a) Title 18, US Code, section 1385 (Posse Comitatus Act)
(b) Secretary of Defense memorandum for the Secretary of the Army, "Assistance to the District of Columbia Government in Combating Crime," April 7, 1970 (hereby cancelled)
(c) Secretary of Defense multiaddressee memo, "Assistance to the District of Columbia Government in Combating Crime," April 7, 1970 (hereby cancelled)

I. PURPOSE AND CANCELLATION

This Directive establishes uniform Department of Defense policies, assigns responsibilities, and furnishes general guidance on the use of Department of Defense military and civilian personnel, facilities, equipment, and supplies to assist the District of Columbia government in combating crime. References (b) and (c) are hereby superseded and cancelled.

II. APPLICABILITY

The provisions of this Directive apply to the Military Departments and all Defense Agencies, except the Defense Atomic Support Agency, (hereinafter referred to collectively as "DoD Components") having cognizance over military resources which may be used under the provisions of this Directive (see Section IV., below).

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III. DEFINITION

As used in this Directive, military resources and/or military assistance include military and civilian personnel, facilities, equipment, and supplies under the control of DoD Components (see IV. B., below).

IV. POLICY AND SCOPE

A. General.

1. The President has directed that United States Departments and Agencies provide assistance to the District of Columbia government in combating crime. The Office of Management and Budget has been assigned responsibility for overall coordination of this assistance effort.
2. The Posse Comitatus Act (18 US Code 1385) prohibits the use of any part of the Army or Air Force to execute local, State, or Federal laws except as the Constitution or Congress may expressly authorize.

B. Limitations. Pursuant to A. 2. above, the employment of Department of Defense military resources for assistance to District of Columbia civil authorities in combating crime in the District of Columbia will be limited to:

1. Military and civilian technicians to perform non-law enforcement functions.
2. Training facilities, such as classrooms, rifle ranges, and pistol ranges.
3. Military equipment and supplies.
4. Such other assistance as is required by personal direction of the President.

C. Funding. Military resources provided to the District of Columbia under the provisions of this Directive will be

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provided on a reimbursable basis. DoD Components will forward requests for reimbursement to the Department of Defense Executive Agent, who in turn, will forward requests to the District of Columbia.

V. RESPONSIBILITIES

- A. The Secretary of the Army is designated as the Executive Agent for the Department of Defense in all matters pertaining to the planning for, and the employment of military resources to assist the District of Columbia in combating crime. As Department of Defense Executive Agent, the Secretary of the Army, or his designee is responsible for:
 1. Providing policy and direction governing plans, procedures, and requirements to all DoD Components having cognizance over military resources which may be employed under the provisions of this Directive;
 2. Providing guidance on a case-by-case basis to DoD Components where assistance is requested by the District of Columbia;
 3. Providing military resources of the United States Army, consistent with defense priorities, to carry out the purpose of this Directive;
 4. Forwarding to the District of Columbia DoD Component requests for reimbursement for assistance provided under the provisions of this Directive;
 5. Maintaining documentation of assistance provided to the District of Columbia and forwarding to the Secretary of Defense, as required, a summary of assistance provided under the provisions of this program;

6. Providing a project code, as required, to identify, obligate, issue, and fund for military resources furnished to support this program.
- B. Consistent with defense priorities, the Secretaries of the Air Force and Navy (Navy responsibilities include resources of the U.S. Marine Corps) and the Directors of Defense Agencies (except DASA) are responsible for providing the military resources required by the Department of Defense Executive Agent to carry out the purpose of this Directive.
- C. In addition, the Defense Agencies are responsible for providing advice and assistance on matters within their sphere of responsibility to the Department of Defense Executive Agent and the Secretaries of the Military Departments.
- D. The Assistant Secretary of Defense (Public Affairs) is responsible for all Department of Defense public affairs matters related to military assistance to the District of Columbia government in combating crime. To assure efficiency and responsiveness in keeping the public fully informed, he will provide direction and guidance to the Department of Defense Executive Agent on all aspects of public release of information relating to assistance given.
- E. The Assistant to the Secretary of Defense (Legislative Affairs) is responsible for all Department of Defense legislative liaison matters related to military assistance to the District of Columbia government in combating crime. To assure efficiency and responsiveness in keeping the Congress fully informed, he will, in coordination with the Assistant Secretary of Defense (Public Affairs), provide direction and guidance to the Department of Defense Executive Agent in all aspects of the release of information to the Congress relating to assistance given.

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VI. PROCEDURES

Requests for Department of Defense facilities, personnel, equipment, or supplies received from the District of Columbia government for use in assisting in combating crime wil. be handled as follows:

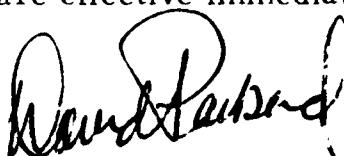
- A. Requests received by the Office of Management and Budget will be forwarded to the Department of the Army, Directorate of Military Support.
- B. Requests addressed directly to Department of Defense will be forwarded to the Department of the Army, Directorate of Military Support.

VII. REPORTING

- A. Significant developments affecting the implementation of assigned assistance responsibilities will be reported as they occur to Department of the Army, Directorate of Military Support.
- B. Quarterly progress summaries of assistance rendered in connection with this program and associated costs will be forwarded to reach Department of the Army, Directorate of Military Support, by the twentieth of the month in which the quarter ends. The Department of the Army will prescribe the format for this summary.
- C. The reporting requirements prescribed herein are assigned Report Control Symbol DD-A(AR)1071.

VIII. EFFECTIVE DATE

The provisions of this Directive are effective immediately.



David Packard
Deputy Secretary of Defense

DEPARTMENT OF DEFENSE

DIRECTIVES SYSTEM TRANSMITTAL

REF ID	DATE	INSTRUCTION
5030.46 - Ch 1	July 15, 1974	5000 series
ATTACHMENT		

Page 5 of basic DoD Directive 5030.46, 3/26/71

INSTRUCTIONS FOR RECIPIENTS

The following pen and page changes to DoD Directive 5030.46, "Assistance to the District of Columbia Government in Combating Crime," dated March 26, 1971, have been authorized:

PEN CHANGES

Page 1: 1. Change the office symbol at top of page to "ASD(C)"
2. Section II, lines 2 and 3: Delete "Defense Atomic Support Agency" and substitute, "Defense Nuclear Agency"
Page 4: 1. Subsection II. B. , line 4: Delete "(except DASA)" and substitute "(except DNA)"
2. Subsection II. E. , line 1: Delete "to the" between "Assistant" and "Secretary"

PAGE CHANGES

Remove: Page 5

Insert: Attached replacement page

Changes on page 5 are indicated by marginal asterisks.

EFFECTIVE DATE

The above changes are effective immediately.

Maurice W. Roche
MAURICE W. ROCHE, Director
Correspondence and Directives
OASD(Comptroller)

WHEN PRESCRIBED ACTION HAS BEEN TAKEN, THIS TRANSMITTAL SHOULD BE FILED WITH THE BASIC DOCUMENT

SD FORM 1 MAR 62 106-1

PREVIOUS EDITIONS ARE OBSOLETE

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VI. PROCEDURES

Requests for Department of Defense facilities, personnel, equipment, or supplies received from the District of Columbia government for use in assisting in combating crime will be handled as follows:

A. Requests received by the Office of Management and Budget will be forwarded to the Under Secretary of the Army.

B. Requests addressed directly to Department of Defense will be forwarded to the Under Secretary of the Army.

VII. REPORTING

A. Significant developments affecting the implementation of assigned assistance responsibilities will be reported as they occur to Department of the Army, Attn: Director of Military Support, Office of the Deputy Chief of Staff for Operations and Plans.

B. Annual progress summaries of assistance rendered in connection with this program and associated costs will be forwarded to Department of the Army, Attn: Director of Military Support, Office of the Deputy Chief of Staff for Operations and Plans, by the twentieth of July each year, covering the previous fiscal year. The Department of the Army will prescribe the format for this summary.

C. The reporting requirements prescribed herein are assigned Report Control Symbol DD-A(AR)1071.

VIII. EFFECTIVE DATE

The provisions of this Directive are effective immediately.


Deputy Secretary of Defense

Accession For
NTIS NAME
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USER
JULY 1971

By 
Distribution/
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Date